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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,178	03/05/2002	Teng Pin Poo	1601457-0013	7556

7590

09/21/2005

White & Case LLP  
Attn: Patent Department  
1155 Avenue of the Americas  
New York, NY 10036

EXAMINER

CASIANO, ANGEL L

ART UNIT PAPER NUMBER

2182

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/092,178

Applicant(s)

POO ET AL

Examiner

Angel L. Casiano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date (see attached).

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Amendment***

The present Office action is in response to Amendment dated 22 August 2005.

Claims 1-9 and 12-14 are pending.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 August 2005 has been entered.

***Information Disclosure Statement***

2. The information disclosure statements (IDS) received on 07 February 2005, 25 February 2005, 04 April 2005, 28 April 2005, and 31 May 2005 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

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skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gotanda [JP 2002232769 A] in view of Margalit et al. [US 6,748,541 B1].

Regarding claim 1, Gotanda explicitly teaches a portable camera device capable of operation with a host platform (see Title; Abstract). The cited portable device includes a housing, a coupling device for a serial bus (see *USB connector* “46”) as well as non-volatile memory (see Figure 1, “15”). Gotanda teaches a *digital camera* (see Title) for capturing and storing information. The portable device (see *digital camera*) disclosed by Gotanda includes a microprocessor (see Figure 4). Image data is formatted into a compatible file format for the host platform (see *circuit* “65”; Figure 4). However, the Gotanda reference fails to teach a camera having a *USB plug* integrally adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed. In addition, the reference fails to teach the non-volatile memory as integrally formed with a digital camera.

As to this limitation, Margalit explicitly teaches a USB plug integrally adapted to the housing of a portable device to facilitate direct coupling via the USB plug to a USB socket of the host platform (see Figure 1; col. 2, lines 23-30, “portable device”; col. 3, lines 58-65; col. 4, line 44). Margalit also teaches non-volatile memory integrally formed with the portable device (see col. 4, lines 35-37).

At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a portable device “configured to interact with

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any USB host 20, such as but not limited to a personal computer or Macintosh having a USB port”, as taught by Margalit.

As for claim 2, the combination of references teaches a flash memory card as part of the non-volatile memory (see Gotanda; Figure 1, “15”).

As for claim 3, the combination of references teaches connection to a USB port (see Margalit; Figure 1) of a host platform.

As for claims 4-7, the combination of references teaches a portable device (digital camera) for capturing and storing image information (see Gotanda; Figure 1, “5”; Figure 2, “22”). The combination does not explicitly mention JPEG, GIF, PICT II and MPEG file formats. Nonetheless, it would have been obvious to one of ordinary skill in the art at the time of the invention to specify the image and/or audio data to be in a known file format. It is well known in the art that JPEG, GIF, PICT II and MPEG file formats are commonly used for data (audio or image). Therefore, in order to apply the portable device disclosed by the combination to common platforms (e.g. PC or Macintosh) one of ordinary skill in the art would have been motivated to use image and/or audio data in a well known file format.

As for claim 8, Gotanda teaches the portable device as receiving power and providing power to the components of the device (see Figures 1, 2).

As per claim 9, Gotanda teaches providing power to the components of the portable device (see Figures 1, 2 and 4).

Claims 10-11 have been canceled.

Regarding claim 12, Gotanda explicitly teaches a portable device capable of operating with a host platform (see Title; Abstract). Accordingly, the cited reference also teaches the *method* for capturing and uploading the image and/or audio information. The prior portable device includes a coupling device for a serial bus (see *USB connector* “46”). In addition Gotanda teaches the steps of capturing, digitizing and processing information. Image data is formatted (*processed*) into a compatible file format for the host platform (see *circuit* “65”; Figure 4). The information is then *uploaded* to the host platform (see Abstract). However, the Gotanda reference fails to teach a camera having a *USB plug* integrally adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed.

As to this limitation, Margalit explicitly teaches a USB plug integrally adapted to the housing of a portable device to facilitate direct coupling via the USB plug to a USB socket of the host platform (see Figure 1; col. 2, lines 23-30, “portable device”; col. 3, lines 58-65; col. 4, line 44).

At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated above.

As for claim 13, Gotanda explicitly teaches storing the image and/or audio data in memory (see Figure 4).

Regarding claim 14, Gotanda explicitly teaches a portable camera device capable of operation with a host platform (see Title; Abstract). The cited portable device includes a housing, a coupling device for a serial bus (see *USB connector* “46”) as well as non-volatile memory (see Figure 1, “15”). Gotanda teaches a *digital camera* (see Title) for capturing and storing information. However, the Gotanda reference fails to teach a method of authenticating an operator seeking access to information on a storage device. Gotanda also fails to teach a camera having a *USB plug* integrally adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed.

As to this limitation, Margalit explicitly teaches a USB plug integrally adapted to the housing of a portable device to facilitate direct coupling via the USB plug to a USB socket of the host platform (see Figure 1; col. 2, lines 23-30, “portable device”; col. 3, lines 58-65; col. 4, line 44). Margalit also teaches a method including storing information characterizing each user (see col. 2, lines 13-18). The reference also teaches a method including computer operations, such as authentication (see col. 2, lines 20-22). Margalit teaches storing identification data and allowing access to the information if the identification data matched the stored template (see col. 7, lines 21-29).

At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated in the rejection of claim 1.

*Response to Arguments*

5. Applicant's arguments with respect to claims 1-9 and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Davis [US 20020107046 A1] teaches interface device 98, which comprises various ports and components whereby the Computer 100 may be connected thereto. Interface device 98 will include and RJ-plug 114, a USB plug 116, a serial plug 118, and an infrared transceiver 120.
- Lee [US 20020106933 A1] teaches in FIG. 1, scanning device 1, which includes a USB cables 22 and a USB plug head 20.
- Kim [US 20010048409 A1] teaches a computing device, wherein the LED device includes a USB plug that is engaged with the USB connector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L. Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:30 pm.

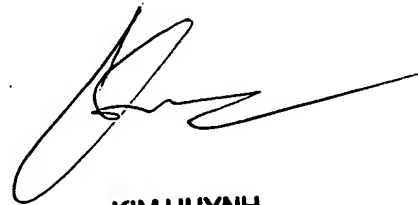
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc  
16 September 2005



**KIM HUYNH**  
**PRIMARY EXAMINER**

9/19/05